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## DOMESTIC VIOLENCE CY2004-CY2011

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The following report outlines the methodology and limitations to specified domestic violence data. The data has been queried from the KYCourts/CourtNet database for calendar years (CY) 2004 through 2011. All data contained herein have statewide totals as well as a county-by-county breakdown. Type of data included in the query are 1) the number of petitions issues, 2) number of domestic violence orders issues, 3) issuing court, and 4) number of violations of domestic violence orders.

The number of petitions issues is calculated based upon the number of domestic violence cases filed. These cases will be case type 'D' or 'DV'. The 'DV' case type is unique to Jefferson County. These cases may be filed in either District or Family Court. However, not all jurisdictions have Family Court; therefore, some jurisdictions will not show any domestic violence cases filed in Family Court. The data has been queried based upon case filing date. The number of domestic violence cases filed during each calendar year examined has remained between approximately 24,000 and 26,000 with the exception of CY2011 (N=20,933), during which the number of filings dropped dramatically.

As of July 15, 2010, there have been changes to the number of times a person may petition for an Emergency Protective Order (EPO) and/or an Order of Domestic Violence (DVO), as well as to the length of time an EPO can remain in effect. Prior to July 15, 2010 and EPO would expire within 14 days. Since July 15, 2010, an EPO may remain in effect up to six months without the summons having been served to the respondent. If the petitioner files a new petition prior to the end of the six months, the process and six month clock begins again. An EPO cannot remain in effect beyond two years without the respondent having been served. A DVO however may remain in effect up to three years and may be reissued every three years with no maximum on renewal.

With the establishment of additional Family Courts there has been a shift of which court venue domestic violence cases are filed in. From CY2004 through CY2006 there was approximately a 45/55 split of cases filed in District Court and Family Court respectively. During CY2007 and CY2008 this split shifted to more of a 30/70 split for District and Family Court respectively. Since CY2009 approximately only 25% of domestic violence cases filed statewide are filed within District Court, the other 75% are filed within Family Courts. Between CY2004 and

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CY2011 there have been 200,249 domestic violence cases filed, nearly one-fourth of those cases have been filed in Jefferson County (N=40,972). A full breakdown of the number of domestic violence cases filed is contained in the included PDF (10\_RS3029).

There are six types of protective orders that can be issued by the courts. These protective orders are captured within the database via a document code. Since the data is captured via a document code, the data had to be queried based upon the filing date of the documents. These document types include:

- ODV – Order of Domestic Violence (DVO)
- OEP – Order Emergency Protection (EPO)
- OPRO – Order Protective
- ORSC – Order Restraining following stalking conviction
- OFPA – Domestic Violence FPO Affidavit & Order
- OTFPA – Domestic Violence Temp FPO & Order

Certain cases may only have one document type, whereas others may have multiple filings of the same document or multiple documents. A distinct count of cases is provided which counts the case only once despite the case being present in multiple categories for multiple document types. Additionally, if the petition for a protective order being filed is not the first petition, the case number will remain the same as the initial case and add a trailer number. The trailer number (i.e. 004) allows the courts to differentiate between filings. Some cases may appear in multiple years, if an additional protective order is filed in a year subsequent to the original.

Normally if a DVO is issued it is done so after the EPO has been filed and the case has been presented before a judge; however, some cases may not follow this sequence. Additionally, the KYCourts/ CourtNet database does not currently capture those EPO's or DVO's that have been denied; nevertheless if an EPO or DVO document type has been entered into the case it should only occur because the EPO and/or DVO was granted.

Cases containing one or more of these documents have been filed across all court venues, Circuit, District, and Family. Statewide, the most commonly filed protective order is an EPO followed by a DVO, especially within Family and District Court. Many cases will contain both document types. Within Circuit Court the most commonly filed protective order is the 'order – protective'. The frequency of these filings in Circuit Court have fluctuated over the course of the calendar years examined; yet have increased each calendar year since CY2009. Fewer than one thousand of any type of protective order is issued within Circuit Court each calendar year. Not all protective order types will occur in each county or in each calendar year. Blanks within the data should not be considered missing data, but instances in which protective orders did not occur. A comprehensive breakdown of the data is provided in the included PDF (09\_RS5007).

Data regarding violations of protective orders are obtained by the presence of UOR codes filed within, primarily, Circuit and District Courts. Violation data has been queried based upon case filing date for cases containing one or more violations of a protective order. An obsolete UOR code is denoted by \*obs within its description; however, despite being obsolete, these codes are

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still accessible to use within the KYCourts/ CourtNet database. There are four UOR codes that apply to violations of protective orders.

0027600 – Contempt of court, violation of emergency protective order

0027610 – \*obs Violation of emergency protective order

0027620 – Violation of foreign EPO/DVO

0027630 – Violation of KY EPO/DVO

Some cases may contain one or more violation charges as well as a charge for contempt. The total lines provide a distinct count of cases based upon the case number. Therefore, if a case has multiple violation charges the case will be counted once in each category of violation, but will only be counted once overall within the total. The number of violations for an EPO cannot be separated from the number of violations for a DVO as the UOR code groups EPO and DVO together. Additionally, some individuals may have more than one case; therefore, distinct case counts cannot be inferred as a count of individuals. Not all violation types will occur within each county or calendar year. Blanks within the data cannot be considered missing data, but instances in which violations did not occur.

Between CY2004 and Cy2011 there were only two cases that contained a violation of an EPO filed in Family Court. One of these cases was filed in CY2004, the other in CY2005. Approximately 97% of all charges for violations of protective orders are filed in District Court each year. During CY2004 and CY2005 approximately 87% of violations filed in District Court were for UOR 0027630 (Violation of Kentucky EPO/DVO). This percentage has increased from 91% in CY2006 and CY2007 to 92% in CY2008, and again in CY2009 and CY2010 to 93%, and finally in CY2011 to 94%. Even though the percentage of violations of EPO/DVO violations filed in District Court are increasing, the actual number of cases having one or more violations of a Kentucky EPO/DVO have actually decreased from 4,136 in CY2004 to 3,207 in CY2011. This has been a steady decline since CY2004. There are fewer than 150 cases each calendar year that have one or more charges of protective order violations filed in Circuit Court. A comprehensive breakdown of this data is provided in the included PDF (09\_RS5009).

All data that is garnered from the presence of specified UOR codes is queried for that UOR code and its supplementals. Supplemental codes (also referred to as ASCF codes) to any primary UOR code include 1) attempt, 2) solicitation, 3) conspiracy, 4) facilitation, 5) complicity, and 6) enhancement; this is designated by changing the end zero on the primary UOR code to a 1, 2, 3, 4, 5, or 6. Instances in which an ASCF code does not appear for a primary UOR code is instances in which that ASCF code has not had one or more charges filed within the specified time frame.

Case frequencies presented cannot be inferred as a count of individuals as some persons may have multiple cases. Blanks within the data are instances in which cases did not occur.